

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
(Richmond Division)**

<i>In re:</i>)	
)	
<i>LeClairRyan PLLC</i> , ¹)	Case No. 19-34574-KRH
)	
<i>Debtor.</i>)	Chapter 7
_____)	

**STIPULATION BETWEEN LYNN L. TAVENNER, AS TRUSTEE,
AND PONTE GADEA WASHINGTON, LLC AND
STIPULATED ORDER**

Lynn L. Tavenner, Trustee, and not individually but solely in her capacity as the Chapter 7 trustee (in such capacity, the “**Trustee**”) of the bankruptcy estate of LeClairRyan PLLC (“**LeClairRyan**” and/or the “**Debtor**”), in the above-referenced Chapter 7 case (the “**Bankruptcy Case**” and/or the “**Case**”), and Ponte Gadea Washington, LLC (“**Ponte Gadea**”) hereby stipulate as follows:

BACKGROUND

1. On September 3, 2019 (the “**Petition Date**”), the Debtor filed for relief under Chapter 11 of Title 11 of the United States Code, 11 U.S.C. §§ 101—1532 (as thereafter amended, the “**Bankruptcy Code**”) in the United States Bankruptcy Court for the Eastern District of Virginia, Richmond Division (the “**Bankruptcy Court**”). Pursuant to §§ 1007 and 1108 of the

¹ The principal address of the Debtor as of the petition date was 4405 Cox Road, Glen Allen, Virginia 23060, and the last four digits of the Debtor’s federal tax identification number are 2451.

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Bankruptcy Code, the Debtor operated as a debtor-in-possession.

2. Per agreement between the Debtor, the United States Trustee, and ABL Alliance, LLLP, the Debtor's bankruptcy case was converted to a case under Chapter 7 of the Bankruptcy Code on October 4, 2019 (the "**Conversion Date**").

3. Upon conversion, Lynn L. Tavenner was appointed interim trustee, and no trustee having been elected at the meeting of creditors, she continues to serve as trustee.

4. On December 12, 2019, Ponte Gadea filed proof of claim 146-1 (the "**Proof of Claim**") on account of unpaid rent and rejection damages arising out of that certain lease agreement between Ponte Gadea and LeClairRyan originally dated as of February 12, 2014 pursuant to which LeClairRyan leased certain real property located at 815 Connecticut Avenue, N.W., Washington, D.C. 2006 (as further amended and/or assigned from time to time, the "**Lease**").²

5. On September 27, 2019, the Bankruptcy Court entered the *Order Authorizing LeClairRyan PLLC To (I) Reject Unexpired Leases And (II) Abandon Certain Property In Conjunction with Such Rejection* (Dkt. No. 132), pursuant to which the Lease was rejected effective as of September 16, 2019 (the "**Rejection Order**").

6. On May 31, 2022, Ponte Gadea filed an Application for Allowance and Payment of Administrative Expense Claim (the "**Administrative Expense Application**") [Docket No. 1356] seeking an administrative priority expense claim in the amount of \$23,633.62 for the period September 3, 2019 through and including September 16, 2019.

7. Ponte Gadea and the Trustee have engaged in discussions concerning the basis and

² Ponte Gadea attached a copy of the Lease, and applicable assignment, as Exhibit A to its Administrative Expense Application (defined below).

amount of the Proof of Claim and the Administrative Expense Application and have agreed to the terms contained herein.

STIPULATION

8. The Trustee and Ponte Gadea are authorized and empowered to take all actions necessary to implement the relief granted in this Stipulation.

9. Ponte Gadea is granted an allowed Chapter 11 administrative expense claim in the amount of \$23,633.62 for unpaid rent due and owing under the Lease from and after the Petition Date through and including the rejection date as set forth in the Rejection Order (the “**Ponte Gadea Chapter 11 Administrative Claim**”), which claim is entitled to priority pursuant to Bankruptcy Code § 503(b)(1). The Ponte Gadea Chapter 11 Administrative Claim is allowed on a full and final basis, not subject to further objection by the Trustee or any other party in interest.

10. The Ponte Gadea Chapter 11 Administrative Claim shall not be paid immediately, but shall be paid pursuant to the provisions of the Bankruptcy Code or any procedures that the Court may approve in this case for the payment of post-petition/pre-conversion administrative expense claims (whichever would result in an earlier distribution); except that Ponte Gadea’s right to request, by separate motion, an earlier distribution than would be provided by the Bankruptcy Code of such Court approved procedures is hereby reserved.

11. Ponte Gadea is granted an allowed, general unsecured claim in the amount of \$242,418.02 (the “**Ponte Gadea Unsecured Claim**”) on the basis of all unsecured claims held by Ponte Gadea against LeClairRyan. The Ponte Gadea Unsecured Claim is allowed on a full and final basis, not subject to further objection by the Trustee or any other party in interest.

12. Unless explicitly provided herein, all other amounts sought in the Case and/or otherwise by Ponte Gadea from the Debtor are forever disallowed in their entirety for all purposes in this Case.

13. The Bankruptcy Court shall retain exclusive jurisdiction over any and all matters arising from or related to the implementation, interpretation, or enforcement of this Stipulated Order.

Stipulated and agreed to this ____ day of July, 2022.

So Ordered

Dated: Jul 14 2022

Richmond, Virginia

/s/ Kevin R Huennekens

THE HONORABLE KEVIN R. HUENNEKENS
UNITED STATES BANKRUPTCY JUDGE

Entered On Docket: Jul 15 2022

Dated: July 12, 2022

PONTE GADEA WASHINGTON, LLC

/s/ Thomas J. McKee, Jr.

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*Counsel for Lynn L. Tavenner, Chapter 7
Trustee*

LOCAL BANKRUPTCY RULE 9022-1 CERTIFICATION

I hereby certify that, pursuant to Local Rule 9022-1, the foregoing proposed Stipulation/Order has been endorsed and/or served on all necessary parties.

/s/ Thomas J. McKee, Jr.

Thomas J. McKee, Jr. (VSB #68427)

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